State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES
6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2147 FAX (603) 271-6588

LETTER OF DEFICIENCY
WET 2005-24

October 7, 2005

Terra Firma Real Estate LLC
c/o Emile Bussiere Jr.
156 West Rd.
Canterbury, NH 03224

RE: DES Wetlands File #2005-00711 Shedd Rd, Northfield

Dear Mr. Bussiere:

On June 23, 2005 and August 31, 2005, personnel from the Department of Environmental Services ("DES") inspected the above referenced properties, more specifically referenced on Town of Northfield Tax Map R15 as Lot 29 and Lot 29-1 (the "Property"). The purpose of these inspections was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-800.

During the inspections the following deficiencies were documented:

1. A road side drainage swale along Shedd Rd. had been crossed in two locations to access Lot 29 and three locations to access Lot 29-1;

2. Sedimentation from the crossings was observed in the swale and in the contiguous streams/wetlands adjacent to the center and westerly crossings on Lot 29-1;

3. Siltation and erosion controls had not been installed in the drainage swale;

4. Culverts and headwalls were not installed at all of the crossings;

5. The headwalls of the two culverts installed on Lot 29 and Lot 29-1 were unstable; and

6. The culvert on Lot 29 was clogged with sediment.

In response, you are requested to take the following actions:

1. Within 30 days, submit a restoration plan to remove the sediment from the wetland and stream, to permanently stabilize the swale, and to install properly sized culverts and headwalls at all swale crossings to be retained. Include the following with the restoration plan:

   a. A detailed method of the type and location of erosion controls to be used prior to the start of the restoration activities;

   b. A detailed method for the removal of sediment from the stream and wetland using hand tools only and for the stabilization of the area;

   c. The location, culvert sizes, and headwall details for any swale crossings that are to be retained

permanently; and

d. The type and quantity of seed mix to be used when seeding the disturbed areas.

2. Complete the restoration only after receiving written approval from DES.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Stacey Herbold, Compliance Supervisor
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please feel free to contact Stacey Herbold at (603) 271-4062.

Sincerely,

COPY

Collis G. Adams, CWS
Administrator
Wetlands Bureau

CERTIFIED MAIL 7004 0750 0003 0561 8279

cc: Rene Pelletier, Manager, Land Resources Management Program
Gretchen R. Hamel, Administrator, DES Legal Unit
Northfield Conservation Commission
Northfield Board of Selectmen
USACOE